For it was cruel and unusual punishment and an abuse of process for:

(a) The Clerk's Office to mail the January 29, 2003, Summons/Notice of Trial to the Defendant's old address, with the knowledge that the Defendant had appeared in restraints on a Writ in Worchester District Court less than three days prior. The Circuit Court knew or should have known that the Defendant's address for service of process was the Montgomery County Detention Center.

(b) Without proper service, this Court, on February 19, 2003, issued a Bench Warrant for Failure to Appear and revoked incarcerated Pro Se Defendant's personal recognizance.

(c) This Court, in an effort when conducting an April 15, 2003 Arraignment and Discovery Hearing in this matter, failed to issue a Writ to command Montgomery County Maryland to bring incarcerated Pro Se Defendant to Court to conduct his defense.

THEREFORE, based on the foregoing, the Defendant prays that this Honorable Court vacate this Court's February 19, 2003, Bench Warrant for Failure to Appear, reinstate Defendant's personal recognizance and issue a new scheduling order in this matter to allow justice to be served.

Respectfully Submitted
S/ Irvin Hannis Catlett, Jr.
Irvin Hannis Catlett, Jr.
Pro Se
P.O. Box 500
Mitchells, VA 22729

STATE OF MARYLAND : IN THE CIRCUIT
COURT FOR
Vs. WORCESTER
COUNTY,
MARYLAND

IRVIN HANNIS
CATLETT, Jr.

No.23K03000090
Criminal

RESPONSE TO DEFEND..NT'S MOTION FOR APPROPRIATE RELIEF

COMES NOW, The State of Maryland, by E. Scott Collins, Deputy State's Attorney for Worcester County, in response to the Defendant's Motion for Appropriate Relief, and says:

1. That the Defendant is charged in this matter with numerous counts of Bad Checks totaling several thousand dollars.

2. That the Defendant is presently serving a sentence in the Commonwealth of Virginia.

3. That the State has requested temporary custody of the Defendant from the State of Virginia and the Defendant has refused to waive extradition.

4. That once the Defendant submits himself or is transferred to the jurisdiction of this Court an appearance day may be held and the Defendant may, at that time, address the Court as to the conditions of his pre-trial release or file whatever motions he may feel appropriate.

5. That it is premature for the Court to address the allegations made by the Defendant until the Defendant is within the jurisdiction of the Court.

WHEREFORE

The State prays that the Defendant's Motion for Appropriate Relief Bond be denied.

RESPECTFULLY SUBMITTED:

_S/E Scott Collins
Deputy State's Attorney for Worcester County
One West Market Street
Suite 208 - Court House
Snow Hill, Maryland 21863
(410) 632-2166

STATE OF MARYLAND: IN THE CIRCUIT COURT FOR WORCESTER COUNTY, MARYLAND

vs

IRVIN HANNIS CATLETT, Jr.

No.23K03000090
CRIMINAL

ORDER OF COURT

The Motion for Appropriate Relief filed by the Defendant, and the State's Response thereto, having been read and considered it is the 11th day of August, 2004, by the Circuit Court for Worcester County, Maryland, ORDERED, that the Defendant's Motion for Appropriate Relief be the dame and hereby DENIED.

S/Judge Groton